

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANTHONY J. MONTANO and
MARGARET A. MONTANO,

Plaintiffs,

v.

Civ. No. 11-1073 WJ/GBW

DRIVETIME CAR SALES COMPANY, LLC,
DT CREDIT COMPANY, LLC, FIDELITY &
DEPOSIT COMPANY OF MARYLAND, and
TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA

Defendants.

ORDER GRANTING PLAINTIFFS' MOTION TO STRIKE

This matter comes before the Court on Plaintiffs' Motion to Strike Defendants' Response to Notice of Supplemental Authority. *Doc. 37.* Plaintiffs' motion asks that the Court strike Defendants' response because it exceeds the 350 word limit imposed by D.N.M.LR-Civ. 7.8(c). *Id.* Defendants' initial response does appear to violate this local rule, and Defendants have conceded as much by filing an amended response which complies with the 350 word limit. *See docs. 36, 38.*

Therefore, IT IS HEREBY ORDERED that Plaintiffs' Motion to Strike, *doc. 37*, is GRANTED. Defendants' initial response, *doc. 36*, will be stricken.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE